

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RUDOLF SUTER,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

§
§
§
§
§
§
§
§
§


No. 3:18-cv-2693-B-BT

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Rebecca Rutherford dated January 28, 2020. The Court reviewed the proposed Findings, Conclusions and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

IT IS, THEREFORE, ORDERED that Defendant the United States' Motion to Dismiss (ECF No. 19) is **GRANTED**, and Plaintiff's Complaint against Defendant is **DISMISSED** under Rule 12(b)(3) without prejudice as to refile in the United States Court of Federal Claims.

SO ORDERED this 21st day of February, 2020.


JANE J. BOYLE
UNITED STATES DISTRICT JUDGE

